



Request for Continued Examination (RCE) Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PTO/SB/30 (09-03)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Request for Continued Examination (RCE) Transmittal	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%; padding: 2px;"><i>Application Number</i></td> <td style="width: 40%; padding: 2px;">10/068,320</td> <td style="width: 30%; text-align: right; padding: 2px;">X</td> </tr> <tr> <td style="padding: 2px;"><i>Filing Date</i></td> <td style="padding: 2px;">02/05/2002</td> <td style="text-align: right; padding: 2px;">X</td> </tr> <tr> <td style="padding: 2px;"><i>First Named Inventor</i></td> <td style="padding: 2px;">CULLEY</td> <td style="text-align: right; padding: 2px;">X</td> </tr> <tr> <td style="padding: 2px;"><i>Art Unit</i></td> <td style="padding: 2px;">3727</td> <td style="text-align: right; padding: 2px;">X</td> </tr> <tr> <td style="padding: 2px;"><i>Examiner Name</i></td> <td style="padding: 2px;">ELOSHWAY</td> <td style="text-align: right; padding: 2px;">X</td> </tr> <tr> <td style="padding: 2px;"><i>Attorney Docket Number</i></td> <td style="padding: 2px;">CG-949</td> <td style="text-align: right; padding: 2px;">X</td> </tr> </table>	<i>Application Number</i>	10/068,320	X	<i>Filing Date</i>	02/05/2002	X	<i>First Named Inventor</i>	CULLEY	X	<i>Art Unit</i>	3727	X	<i>Examiner Name</i>	ELOSHWAY	X	<i>Attorney Docket Number</i>	CG-949	X
<i>Application Number</i>	10/068,320	X																	
<i>Filing Date</i>	02/05/2002	X																	
<i>First Named Inventor</i>	CULLEY	X																	
<i>Art Unit</i>	3727	X																	
<i>Examiner Name</i>	ELOSHWAY	X																	
<i>Attorney Docket Number</i>	CG-949	X																	

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

I. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
II. Other _____

b. Enclosed

I. Amendment/Reply III. Information Disclosure Statement (IDS)
ii. Affidavit(s)/Declaration(s) iv. Other _____

2. **Miscellaneous**

Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. Other FACSIMILE TRANSMITTAL FORM; FEE TRANS. FORM

3. **Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

a. Deposit Account No. _____

12/05/2003 HLE333 00000040 10068320

i. RCE fee required under 37 CFR 1.17(e)

01 FC:1801

770.00 0P

ii. Extension of time fee (37 CFR 1.136 and 1.17)

III. Other _____

b. Check in the amount of \$ _____ enclosed

c. Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	JAMES E. COLE	Registration No. (Attorney/Agent)	50.530
Signature		Date	12/4/2003

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.			
Name (Print/Type)	LYNN MINTON	Date	12/04/2003
Signature			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/17 (10-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27	
TOTAL AMOUNT OF PAYMENT	(\$) 770.00

Complete if Known

Application Number	10/068,320
Filing Date	02/05/2002
First Named Inventor	CULLEY
Examiner Name	ELOSHWAY
Art Unit	3727
Attorney Docket No.	CG-949

METHOD OF PAYMENT (check all that apply)

<input type="checkbox"/> Check	<input checked="" type="checkbox"/> Credit card	<input type="checkbox"/> Money Order	<input type="checkbox"/> Other	<input type="checkbox"/> None
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 Deposit Account:

Deposit Account Number	<input type="text"/>
Deposit Account Name	<input type="text"/>

The Director is authorized to: (check all that apply)

<input checked="" type="checkbox"/> Charge fee(s) indicated below	<input checked="" type="checkbox"/> Credit any overpayments
<input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s)	
<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.	

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1612 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 685	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1480 130	1480 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(e))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(p))	
1801 770	2801 385	Request for Continued Examination (RCE)	770
1802 800	1802 800	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)770****

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*Or number previously paid, if greater. For Reissues, see above

SUBMITTED BY

Name (Print/Type)	JAMES E. COLE	Registration No. (Attorney/Agent)	50,530	Telephone	(502) 584-1135
Signature				Date	12/4/2003

(Complete if applicable)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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DEC 04 2003

Middleton & Reutlinger
2500 Brown & Williamson Tower
Louisville, Kentucky 40202-3410

PHONE: (502) 584-1135
FAX: (502) 561-0442

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TO: U.S. Patent and Trademark Office
Examiner: Niki Marina Eloshway Group: 3727
Fax #703-872-9306

FROM: James E. Cole, Reg. No. 50,530

DATE: December 3, 2003

PAGES: 13 in total (including cover sheet)

RE: U.S. Patent Application No. 10/308,939

Remarks: This facsimile is a response to the Final Office Action having a mailing date of October 17, 2003.

Enclosed is:

- (1) Transmittal Form;
- (2) Amendment B;
- (3) Fee Calculation Form;
- (4) Request for Continued Examination;
- (5) Credit Card Payment Form.

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 CFR § 1.8

I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office on the date shown below.

Lynn Minton, Paralegal
Person Signing

12/4/03
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re Application of:**

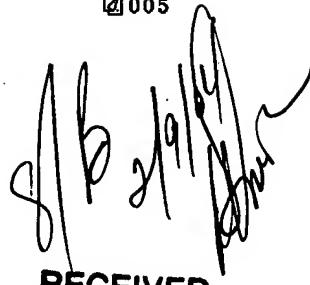
Culley

Serial No.: 10/068,320

: Examiner: Eloshway, N. K.

Filed: 02/05/02

: Group Art Unit: 3727

For: **TAMPER INDICATING BAND
ARRESTER**
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DEC 04 2003

OFFICIAL**AMENDMENT B WITH REQUEST FOR CONTINUED EXAMINATION**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed October 17th, 2003, please amend the subject application accordingly:

Amendments to the Claims are reflected in the listing of the claims which begins page 2 of this Office Action Response.

Remarks begin on page 8.

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